

SPEECH

OF

HON. W. W. WICK, OF INDIANA.

IN THE HOUSE OF REPRESENTATIVES, THURSDAY, JUNE 20, 1848.

In Committee of the Whole on the State of the Union.

Mr. WICK said:

The public records and public press inform our constituents that a great majority of the measures acted upon by this House, are considered, discussed, and prepared for final decision in a Committee of the Whole House on the state of the Union, and that a large portion of the time of the House is spent in its capacity as such committee—the state of the Union being much more frequently the theme of discussion than is the particular bill for the time being before the House.

They read that "in a multitude of counsellors there is safety." They know that this House is a multitude, though I will add, *en passant*, that when they come to our Hall, (as they do when on their way to attend their popular conventions, and on certain other occasions,) they betray the most unaffected surprise at the unexpected character and *total ensemble* of this "multitude of counsellors." Seeing that we are almost daily engaged in a consideration of the "state of the Union," they come to the conclusion that the Union is very safe in our hands—the more especially as the most of us were not backward when seeking a place here, to make known our extreme devotion to the Union, and our ardent desire to perpetuate it.

They moreover gather, or infer from the fact of so much of the time of this House being devoted to a consideration of "the state of the Union," that there is danger, more or less, of a dissolution of the Union of States, and of parties, and this their apprehension is not a mere fantasy. There is danger—not imminent and immediate—but remote. The selfish man, who cares for nothing but that things may go well in his day, has little cause to be alarmed; for such is the attachment of the American people to the Union of the States, that its dissolution will be a work of time. But the paternal man, who loves his children, and the children of his neighbors, and would provide against evils to which future generations may be exposed, and the patriot, whose bosom glows with love of country, may well and reasonably fear. The benevolent man, who loves his race, and has been naturally led to consider this country and its institutions as of inestimable value to human nature, has a right to be anxious. His hopes, as to the destiny of the United States, may turn out to be but dreams.

It will be germane to a consideration of the state of the Union, if not to the bill under consideration, to point out the incipient causes even at work, undermining the foundation of the symmetrical structure composing the Union of the States. That structure is of the composite order, combining the majesty of the Gothic, the sturdy strength of the Doric, the chaste neatness of the Ionic, and the ornate beauty of the Corinthian orders. It can never be overturned by open attack; but it may be subverted by undermining and removing the foundation, which foundation is the Constitution of the United States, in its letter, and in inferences which must be drawn from it. A resort to, or adoption of, inferences which might be drawn from it, will be fatal.

From the time of the adoption of the Constitution to this hour, Federalism has been engaged in a struggle—open when in power, and at other times covert—the object of which has been, to lead, or force the General Government into the exercise of powers which may be inferred from the Constitution; while Democracy, or Republicanism, has as constantly resisted the exercise by the General Government of any powers except those delegated by the Constitution in express words, or which must be inferred therefrom. It may be said, and truly, too—more's the pity—that many men calling themselves Republicans, have contended, and are now contending, for the exercise of certain powers which are admittedly neither expressly delegated by, nor yet of necessity to be inferred from the words of the Constitution. My answer is, that such men may have called themselves Republicans, and may have voted generally with the Democratic party; they may have been, and may now be, generally recognized as members of the Democratic party; but they have been, and are Federalists, notwithstanding. Or, if they deny the exercise by the General Government of powers not expressly granted, or of necessity inferred, on all points except one or two, they are yet more dangerous than thorough-going Federalists; because, being recognized as Republicans, there is danger that they may mislead the unwary into the adoption of their opinions, and so contribute to make the Democratic party anything but a unit, in consequence of the spread of dangerous heresies. So, too, it may be said, and said truly, that, at

times, nearly the entire Democratic party have yielded points, and even passed laws inconsistent with the strict construction of the Constitution, which I have predicated. My response to this is, that for a time immediately preceding such action of a portion—perhaps a majority—of the Democratic party, Federalism had occupied the Halls of legislation and the Executive chair, and had swayed her leaden sceptre over the land, and riveted down her abuses. Democracy coming into power, accommodated itself to the existing state of things, whether wisely or not, I will not express an opinion. One by one rivets were drilled out, or wrenched away, and the fact was gradually developed, that instead of being necessary to keep together the machinery of the body politic, or proper parts thereof, they were but miserable contrivances to make the rich richer, and the poor poorer; to introduce a corrupting influence into the very capillaries of the popular body, and to strip the States of their original inherent sovereignty.

Were I, in the article of death, to be called upon by those constituents to whom I am deeply indebted, to point out the causes to be apprehended, as tending to produce the final and fatal catalepsy of the Republic, I would, in view of the moral responsibilities impending, designate, as the principal proximate cause, without hesitation, and with assured certainty, *the exercise, with reference to internal affairs, by the General Government, of powers neither expressly granted to it by the letter of the Constitution, nor of necessity, to be inferred therefrom.*

There is behind this proximate cause a remote cause, of which I must say something before I resume my seat.

I shall not reiterate the well-known doctrines of the Democratic party concerning the original sovereignty of the States, and the result of a grant of powers to the General Government; nor will I pause to reason analytically, as to the sure danger of construing the Constitution liberally in favor of grants of power to the General Government. That task has been performed, many times, by those having claims to ability and authority greater than I may truly boast of.

I propose to establish, practically, that the exertion by the General Government of powers not expressly granted has, in all instances produced mischief. And—

First. There is no clause in the Constitution conferring power upon the General Government to charter a bank. The power, nevertheless, was exercised. Did the bank do good? Did it benefit the masses? Did it purify the currency? An old proverb declares that “all is well that ends well.” Did the bank end well? What is the opinion and feeling of the common mind upon these points now? When Federalism found itself in power in 1840, did her high-priests dare to present the bank idea—its dead and rotten corpse—till they had dressed it in “bra new duds,” and christened it “Fiscality?” Have not those high-priests been compelled, by public opinion, to blink their faith, and to pronounce some gibberish about an “obsolete idea,” as a lullaby to the jealousies of their own partisans? Dare they now publish, as an article in their party creed, their declaration “that Congress has power to charter a bank of discount and issue, and that it is expedient to exercise that power?” They dare publish no such article of

faith. They dare pronounce their country in the wrong, and as engaged in an unjust and unnecessary war, as a party; they might venture upon almost any declaration, any specimen of moral treason in reference to a subject not yet fully understood by the people. They are bold gentlemen, and are in desperate circumstances, and would therefore venture much. But to declare in favor of a bank, against which the masses have repeatedly decided, would be a piece of Quixotic gallantry, quite uncalled for. Bank literature will not therefore be proclaimed, just at present, either in the body of the temple of Federalism or at the vestibule, where it may fall upon vulgar ears, and be “very much misunderstood.” Till the time shall come when Federalism shall be “once in the saddle,” and no “fixed fact” shall stand in the way—as John Tyler did, like the angel before Balaam and his ass—till that time come, the literature of Chesnut street, the lore of “fiscal agencies,” must be kept from “the public eye,” and remain in the Holy of Holies, to be read, talked, and thought of only by those who minister there. I am no friend to the bank, but “I am a gentleman of bowels,” and if this same bank were a “real human,” I acknowledge I should feel rather pathetic, in view of the ingratitude manifested towards it. It bought up editors, leading men, and politicians for “the party” by the hundred; it browbeat everybody, and, more or less, either frightened or cajoled nearly every one but old Lion Heart and his “kitchen cabinet.” And now, after all this, to be pronounced an “obsolete idea,” and be smuggled away out of sight, and (ostensibly at least) laid on the shelf among the old, thrice-condemned Federal lumber—the alien and sedition laws, the Hartford Convention, and blue lights!—“I wish I may die if it is not too bad!”

Again: It is but a few years ago since Federalism boldly advocated the doctrine of adjusting the tariff with a direct reference to assisting our manufacturers, by enhancing their profits, and found a few Democratic votes subservient to that doctrine. This idea was called protection. Democracy opposed it, intruded upon it, and finally overthrew it in 1846. The Constitution confers the power upon Congress to levy duties upon importations for the support of the Government. Federalism claimed that under a liberal construction of this grant, the power of protection could be exerted, and ought to be exercised freely. The people were carried away for a time, in portions of the country, by this idea. They were made to believe that American ingenuity, industry, and capital, aided by cheap provisions for operatives, and inexhaustible water-power, could not compete with foreign ingenuity, industry, and capital, without levying from the masses a further bonus in favor of the manufacturer, in the shape of high taxes. Many Democrats in name were carried away by this absurdity, and others feared to boldly advocate the truth as they understood it. But time, which proves all things, exposed this heresy; and one of the fruits of the Democratic victory, in 1844, was its perfect explosion. In the 29th Congress there were but few Democrats adverse to the doctrine of free trade, and these few, it could, by an individual and personal application of circumstances, be demonstrated were controlled by local interests or political timidity. And now, in 1848, the prophecies of Federalism

having been disproved by experience—the tariff of 1846 having improved both the revenue and the markets—no Democrat can be found to advocate the exploded idea. And Federalism, which formerly was so obstreperous in favor of protection—whose priests formerly bellowed in our ears, in ominous tones, making our hearts to tremble, and our knees to knock together, the catch words, Protection, Home Market, Foreign Pauper Labor, and all of that sort of thing, now have grown mild, and “roar you an it were any sucking dove.”

Assembled in Convention, a few days since, to nominate a Presidential candidate, they dared neither reassert nor declare an abandonment of their ancient tariff doctrines. They let “expressive silence sing” the praise of the Democratic tariff of 1846, and blinked the confession of past errors, which they owed to their own honor, and to the world.

No Democrat will now quarrel with me for assuming that experience has proved that there is no necessity for straining points, and making free constructions of the Constitution, so as to infer therefrom the power to charter a bank. He will rather unite with me in hoping that the day may soon come when the States may *all* cease to exercise that power, or by amending their constitutions, either restrain their legislatures from the granting of such charters as now exist, or deny the power altogether. Were I a young man, I should expect to see the States redeem themselves from the corrupting influence of banks, from the hateful and paralyzing effects of bank suspensions, and bursts, and from the meanness of a debauched currency, and of the shinplaster abomination, forever and ever.

But thus far, Democracy can only boast that it has driven the idea of a national bank into disgrace, taken away from Federalism her magic wand, compelled her to confess as an “obsolete idea” that which was once, to her, as a household god, and forced her to smuggle it into existence (as she would, if she had the power) under some new name and disguise devised by the priests who minister at her altars.

Nor can any Democrat now be made to cower at the mention of “free trade,” or forced to compromiseingly give utterance to the Shibeoleth, “incidental protection.” On the contrary, he speaks of “free trade” in manly phrase, as an idea to be approximated as closely as may comport with revenue. And Federalism which formerly, in portions of the Union, was able to make Democrats afraid by boldly blustering forth her real doctrines in favor of a tariff, heavily protective—such as would “take care of the rich, and enable the rich to take care of the poor”—now modestly squeaks forth a declaration or rather protest, begging favor for the idea of “incidental protection.”

Upon these two points of controversy, concerning claimed inferential powers, Democracy has achieved a perfect victory, demonstrated the truth of her positions by experience, and silenced if not convinced her adversary. Whether the safety of the Union, and individual welfare shall, or shall not again be endangered by a return to power of a political party whose creed does not forbid the exercise of powers not expressly granted, or, of necessity to be inferred, and whose instincts will inevitably lead thereto, depends upon the will of

the American people. It is to be hoped that their intelligence, or at least their memory, will be found equal to the occasion. The Israelites did club their jewels to make a calf god, while fire, and smoke, and thunder, and lightning, from Sinai’s top yet demonstrated the existence and presence of the true God before their eyes; but it would be a libel upon the American people to suppose it possible for them to be equally besotted, and stupid. And yet a reference to the past might inspire one with some diffidence upon this point. For it has happened that a small number of those calling themselves Democrats did, by voting with their opponents, throw the Government into the hands of Federalism, and they only escaped the fearful consequences naturally resulting from a forgetfulness so criminal, through the unforeseen and unexpected intervention of the supreme and good Providence, which “has made and preserved us a nation.”

In the progress of legislation other schemes have been, and will be brought forward, requiring legislation by Congress upon subjects, the care and superintendence of which are not committed to the General Government; and, upon all such occasions Federalism has ever thrown, and without doubt, will continue to throw the weight of her votes in favor of the exercise of the forbidden powers, with an eye to her never-forgotten plan of extending the operations of the General Government, and clipping the States of their sovereignty. At present, I will content myself with naming, as two of those schemes, the appropriation by Congress of money for carrying out a system of internal improvements, and the legislation by Congress for the Territories in reference to municipal matters, to the extinction of the sovereignty of the people thereof.

Upon both of these points, Democracy, true to herself, has defined her position in the resolutions of the late Baltimore Convention. It is, however, much to be feared that there are dissenters from the common and declared creed to be found even among the acknowledged members of the Democratic body. Federalism never reasons. It never speaks from an intelligent conscience. It prates of expediency, and presents the bright side of a scheme, without permitting the dark side to be seen by the people. Thus, an advocate of a system of internal improvement presents the advantages to result from the improvement of harbors and rivers, and the making of railways and canals; but he does not inform the people that these things always cost money; that because of the distance of the General Government from the scene of operations, public works cost the Government many times as much money as the like works cost when executed by States, companies, or individuals. He speaks in glowing terms to his constituents of the convenience to them of having this or that public work carried on by the United States, and well knows how to enlist the mercenary, by representing the advantage to result from large expenditures of money in their immediate vicinity, and by hinting that a contract may fall to their share, yielding the large profits generally yielded by all Government contracts. But will he tell the honest masses that the money thus expended near them must every dollar be raised from them by taxation? Never.

If internal improvements should be carried on by the General Government, one of three things

will result to my constituents. If a larger amount of money should be expended among them in improvements than is raised from among them through the operation of the tariff, exclusive of their fair share of other national expenditure, they will be holding an advantage over other, and more neglected sections, which, as honest men, they must acknowledge to be unrighteous. Of incurring the guilt of this unrighteousness, my constituents are in little danger. They are not in the vicinity of any possible public work, except the Cumberland road, which seems, by a consent almost common, to have been dropped out of the system.

Again: if just about their reasonable share of an internal improvement fund should be expended upon useful works of improvement among them, they could not accuse themselves of unrighteousness, and the only drawback upon their satisfaction would be, that because of the General Government expending money for any (but especially for such) objects, they have taxed themselves to improve, or make some kind of public facility, at many times its reasonable value. And if it should turn out that very little, if any, of the internal improvement fund should be expended among them, or upon any work in which they have more than a remote interest, I am inclined to believe they would begin very much to doubt the constitutionality of such expenditure; and that they would decide against the expediency of such a fleecing operation, there is no doubt.

The present Chief Magistrate of the United States has, on two occasions, exercised the extraordinary legislative function committed to his hands by the Constitution, by preventing the passage, into laws, of internal improvement bills which had passed both Houses of Congress, exerting, for that purpose, what is commonly called "the veto power." He lost no friends among my constituents by so doing. Instead of finding or making occasion to apologize for, or explain my votes against one of these bills, after it was vetoed, and against the other on all occasions, I acknowledged to my constituents my error in judgment in voting for one of those bills before it was vetoed, and promised to do so no more; and with that, my ever kind Democratic constituency let me off.

I have not found leisure to collate proposed expenditures provided for by bills pending in both Houses for internal improvements, nor can any one now foresee what amendments will be offered to bills when they come up, providing for expenditures not now in the calendar. I have not even looked into the calendar of the Senate. I have, however, looked casually and hastily over a portion of the bills originating in the House, and those which, having passed the Senate, await the action of the House, and, *inter alia*, I find the following, which are to be passed, I suppose, by hook or by crook, viz:

For improving streets in this city.....	\$39,150
For the purchase of bridges for this city.....	30,00
For harbors and rivers, (in light house bill).....	73,600
For light-houses, (in light house bill).....	129,00
For light-houses, (in civil and diplomatic bill).....	107,000

Not one dollar of these sums will be expended among my constituents, nor will a dollar thereof reach their pockets. Nor have they even a remote interest in any of the improvements authorized by the appropriations, unless it may be supposed that

the appropriations for the Ohio and Mississippi rivers may tend, very remotely, to promote their interest. Many of them have traversed the upper Ohio, and satisfied themselves that the money heretofore expended there, in attempts to improve the navigation, has, in fact, produced artificial obstructions to such navigation. There is a bill on the calendar appropriating some refuse land towards completing the Cumberland road; but does any one dream that it will pass? Is it not very certain to "get a go-by," or to be voted down? In this (which is to be the usual) state of things, is it a matter of wonder that vetoes of internal-improvement bills should be well received by those I represent? But again: my constituents are not content with examining this matter in the light of the existing state of things; they look ahead, and foresee the mighty rivers of Texas, Oregon, and California coming into the system, and estimate, without more arithmetic than they can master, by counting on their fingers, that their shifting sands, their fickle channels, their mighty cascades, and their tens of thousands of miles, would engulf, sink, and sweep away the revenues of the world. Hence, those of them who do not, at once, sustain the President as to the unconstitutionality of such expenditure, do not hesitate a moment to sustain his repeated exercise of the veto power on this point, upon the score of expediency; and I believe they are generally very willing to see it adopted as a part of the national creed, that such expenditures are unconstitutional. Of course, I except from this category such as have some selfish or political reason for affecting to entertain a contrary opinion. Ethics were not made for those who calculate personal interests, and shape political opinion accordingly, nor is candor the attribute of the ambitious.

Some of the appropriations for internal improvement, now pending in one or the other of the Houses, are inserted in the ordinary appropriation bills, without the passage of which the Government cannot go on. Others of them, I prophesy, will be inserted therein by way of amendment. Nay more, I have a prescience that there will be grafted upon those bills yet other amendments of this character, which, at present, are not thought of generally, but will be dragged forth, in due time, from their hiding-place in the bosom of selfishness, or of political cunning. The effect of such a course will be to compel the President to either approve measures in the very teeth of principles deliberately avowed in previous solemn, and well-considered veto messages, or to assume the responsibility of hazarding the passage of the appropriation bills at the present session, and the expenditure incident to a call of a special session of Congress. If the bills should be rejected by the President, before an adjournment, but in the last hours of the session, after an adjournment shall be resolved on, a call of Congress will be almost certain; and if they should be rejected constitutionally, after an adjournment, the call will be indispensable. The President is vested by the Constitution with certain powers. With certain limitations, he is an independent branch of the Legislature. His opinions are known. We are not in the dark on the subject. Unless, then, we are sure that he will abandon points of constitutional law, which he has, under oath, deliberately assumed, and, after time for reflection, reasserted, or that we have a

two-thirds majority in favor of our internal-improvement appropriations, and can pass them full ten days before adjournment, we take upon ourselves the responsibility of causing the expenditure incident to a special session of Congress. I have heard it said that the President has not the firmness to adhere to his principles under the circumstances which I have predicated. I have not the slightest authority to speak for him, here or elsewhere; but I know a little of the man, and more of the circumstances which surround him. He is about to retire from the chair of state, and, in all human probability, from the political arena, forever. If he have, in his construction, the elements for which I have given him credit, he understands himself as living for history, and will not, under *any circumstances*, beat a cowardly and scandalous retreat from that which he has declared to be his sworn duty. And if he be the "Young Hickory" which we Democrats endorsed him for in 1844, he must be gifted with, at least, some of the pertinacity and conscience of "Old Hickory," as well as ordinary pride of character. If you think ill of my judgment, bring James K. Polk to the test. Try him. If he fail to give you yet another "touch of his quality," you may set me down as no prophet. I will scarcely be suspected of any desire to prevail on the other side of the House, having little party interest in their good conduct. I profess, however, a good will to caution my Democratic brethren to keep out of a "*nasty scrape*." The utter impossibility of raising money to keep up annual appropriations for harbors upon the Atlantic and Pacific coasts, and upon the lakes, and for the improvement of the rivers upon the Atlantic and Pacific slopes, and in the great valley, ought to admonish us to abandon such appropriations at once; for, in the end, they will be abandoned of necessity. It may be said that this is a new Democratic idea. Well, suppose it to be so, and what then? Are we not the "*progressive*" Democracy? New ideas must arise as new circumstances present themselves. Besides, the idea is not entirely new. It was started in the early days of the Republic, it took a wide stride in the days of *the Man of the Age*, has progressed during the present Administration, and will be forced, by events and circumstances just at hand, upon us by the supreme law of necessity.

It has been said that, on this subject, one of the existing political parties in this country has little to boast of, as compared with the other. With the candor which I have resolved shall on all occasions characterize what I may say here, I will confess that while the Whig party has been consistently wrong, on this subject, the Democratic party has not been very consistently and unitedly right. In consequence of the presence in its body of many dissenters, it has been fearfully addicted to backsliding. But, upon the whole, it has, true to its leading characteristic, been, even in reference to this subject, "*progressive*." Reforms, like revolutions, never go backwards. We shall "go on to perfection." Who will be the last Democrat who will be found casting his votes with Federalism, on this subject?

Upon the other point which I have indicated as being now in controversy, and from the misunderstanding whereof there is danger to the Union impending—I allude to the sovereignty of the people

of the Territories in reference to matters of municipal legislation—I have a few sentences to utter. Territories, as organized bodies politic, are unknown to the Constitution, not being so much as named therein. The power to legislate for them, in this Hall and in the Senate Chamber, is claimed under a clause in the Constitution which is in these words, viz: "*The Congress shall have power to dispose of, and make all needful rules and regulations concerning, the territory or other property of the United States.*" At the time the Constitution was adopted, the United States owned, in sovereignty, and subject only to the extinction of the Indian claim, an immense and almost unexplored and unknown extent of territory. It was easy to foresee that (as did subsequently come to pass) settlements would be made in different portions of this territory, remote from each other, and yet nearly simultaneously, and that thus many inchoate bodies politic must, of necessity, spring into existence. Had it been the intention of the Convention to confer legislative sovereignty over these bodies politic upon Congress, the grant of such sovereignty would have been made in express words. The object of the clause which I have quoted from the Constitution is evidently not intended to confer political sovereignty. It only authorizes Congress to legislate concerning the territory of the United States as property—land. If it had been intended to confer upon Congress political sovereignty over the Territories of the United States, the plural of the word "*territory*" would have been used, and "*territory*" would not have been classed with property, and evidently characterized as such by being immediately followed by the words "*and other property of the United States.*"

A recent writer and orator upon this subject, more remarkable for ability and ingenuity than for conscientiousness, has misquoted this clause of the Constitution, or perhaps I may say amended it, by striking out the word "*territory*," and inserting in lieu thereof the word "*Territories*," thereby leaving the incautious reader, who does not examine the Constitution for himself, to believe the absurdity that the Constitution makes Territories, in their capacity as bodies political—i. e., the bodies and souls of the population—the "*property of the United States.*" Parliament never asserted so much concerning the people of the Colonies, though it did assert its own power "*to legislate for the Colonies in all cases whatsoever.*" And for and because of that declaration, far more than because of the "*tea tax*," did our forefathers assert and achieve their independence. This unauthorized substitution of a plural for a singular enabled the writer in question, and other advocates of the doctrine of the supremacy of Congress over the supremacy of the people, to stagger along on a lame argument. Without it, their idea has no constitutional support. I have heard the decisions of courts quoted to establish this doctrine. Such authority is not satisfactory. I can find precedent, and decisions of courts, and of Congress, to sustain a bank of the United States, and every item of the Federal creed. Inasmuch, then, as the Constitution has not conferred the sovereignty of the Territories upon Congress, I claim it for the source of all sovereignty—**THE PEOPLE.**

From what I have said, it appears that the grand distinction between Federalism and Democ-

raey consists in this: Federalism claims for the General Government the right to exercise many powers which Democracy assigns to the States. Examine this distinction in the light of common sense, and which doctrine is the best for the people? Can the General Government exercise power without encountering expenditure? Every one will see that the answer to this question must be in the negative. It involves expenditure to pass a law through Congress; but in most cases this is but as "a drop in the bucket," compared with the expenditure incident to the execution of the law, if it be temporary. If it be a permanent law, (as most are,) requiring constant or even annual execution, then the machinery, the officers employed in and the action of that execution, becomes a permanent burden upon the treasury. It is in consequence of Congressional legislation upon new subjects—many of them unauthorized by the Constitution—for more than in consequence of our national growth, and the extension of our borders, that the national expenditure has increased in the progress of time. National expenditure would be a public and individual blessing, if the Government possessed means of meeting it other than raising it from the people by the process of taxation. But the fact is otherwise. Every dime expended the people must pay into the Government coffers. To raise money, the Government has no resort but the pockets of the people; and to them it is precisely the same, so far as the amount is concerned, whether the resort be direct, through what is called "direct taxation," or indirect, through tariffs. Federalism, when it speaks on this subject, very usually presents to the people only the expenditure, and the advantages to result therefrom. It is usually silent as to the taxation consequent upon expenditure; and it never points to the well-known fact that the General Government cannot—never has, and never will—expend money economically, as a State or an individual may. Democracy proclaims the "whole truth" upon the subject; and this may be the occasional cause of temporary defeat. If individual Democrats do occasionally play the Federalist, by telling the agreeable half of the story, they go on swimmingly for a season; but in the end they sputter out. The conclusion is, that the Union is in danger from the General Government exercising too much power, and raising and expending too much money.

Another evil, to result from the free exercise of power by the General Government, the expenditure consequent upon that, and the taxation consequent upon expenditure, must be either direct taxes, or further pinching restrictions upon the laws of trade, resulting from an increased tariff of duties.

In connection with this subject—the exercise by the General Government of powers not conferred by the Constitution, and the consequent evils—I have named a bank, a tariff for protection, internal improvements, and prescribing municipal laws for the Territories. These are by no means all the subjects which I might introduce, analyze, and explain, in support of my argument. In the progress of our affairs, matters will hereafter arise upon which the same principles will bear in a similar manner. When those new questions shall arise, Federalism will frequently, for a time, succeed by bringing into the field her plausibilities and appa-

rent expediencies. But the grand test of truth—experience—will ever prove that it is neither necessary nor for the better, but altogether unnecessary and for the worse, for the General Government to assume powers not expressly conferred by the Constitution, *strictly construed*. It is upon this point—that of a strict construction of the Constitution—that Democracy must stand. All departures from it involve it in the swampy grounds of Federalism, and get it into trouble. The day will come when it will stand intact of a single sin or heresy upon this point, and without a dissenter among its adherents; or otherwise the Constitution will be lost sight of, and a "common law," composed of precedents, take its place. Congress will then legislate almost without limitation; the General Government will be a splendid and expensive affair; the States will have but a nominal and *complimentary sovereignty*; they will be sovereign *de jure*, but not *de facto*; the people will find themselves burdened with a permanent public debt and high taxes, and there will be an aristocracy of bankers, manufacturers, and holders of permanent American stocks. There will be a Democracy, too; but it will be too poor to go into the political market and buy votes, and too powerless to control them. It will have two glorious privileges: that of grumbling, and that of rebelling. But practical influence it will have none, till again grasped by the rude and reckless hand of revolution.

I have intended, by what I have said, to lead to one grand practical idea, in addition to a consideration of Democratic theory. The practical idea is this, to wit: that Democratic private men are in constant danger of being beguiled into the adoption of Federal dogmas by the presentation to their minds of plausibilities or apparent expediencies, comporting with local interests. For example: a manufacturer might be inclined to waive the application of the doctrine of strict construction so far as to admit a little protection into a tariff law beyond that which is purely incidental. So a resident on our seaboard, lakes, and rivers, may think that the power to expend money in internal improvements must be somehow or other conferred upon Congress by the Constitution. He cannot but be puzzled, when requested to find the article or clause in which the power is directly given; but yet insists that it is there. So, also, one morally opposed to slavery will insist that Congress ought to legislate for the Territories, at least so far as to exclude slavery therefrom. The amount of it is, that these gentlemen are clamorous in favor of a strict construction of the Constitution (the sole principle of a purely political character, which distinguishes Democracy from Federalism) till that doctrine trenches upon some special interest or prejudice of their own, and then they insist on waiving the principle. How will this work? Let us see. The Democrats of one section will insist on the necessity of Congress legislating to keep slavery out of Territories. For the sake of unanimity, the Democracy of other sections yield this point. The Democrats of other quarters come forward, and insist that the power to engage in works of internal improvements must be squeezed out of the Constitution, though it should be as difficult as to "extract blood from a turnip." For the sake of political fraternity that point also is yielded. Then come the Democrats from the manu-

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faturing districts, and insist, that in virtue of certain constitutional inferences, Congress has power to give them a little direct protection, and that they are very needy for the want of it. To give them contentment, that point is given up. Lastly come the Democrats of the cities and towns, and suggest that they are much hampered in the way of "business facilities," and that a national bank—a fiscality—is actually necessary for them. This is rather startling; but as it is threatened that a separate organization and defection will be the consequence of a refusal, that point is yielded too. Thus, one by one, every Democratic principle is yielded, and the Democratic party is thoroughly Federalized. If one minority can force the majority on one point, other minorities have an equal right to force the majority on other points; and thus minorities may excise, *seriatim*, every practical opinion resulting from the Democratic creed, and lead us back into the fold of Federalism.

The difficulties which have arisen in the Democratic party, in consequence of the existence of points of difference in opinion, can only be adjusted by minorities conceding to majorities. The majority, uninfluenced by local interest or prejudice, will naturally be in the right. It may safely be avowed, that in no single instance have minorities carried any point otherwise than by a union, for the time being, with Federalism, from the consequences of which adulterous union they have not escaped unhurt, nor except upon working out their salvation with much fear, trembling, and repentance.

The masses belonging to the Democratic party do not naturally desire to dissent from the majority; and it is my clear conviction that they glide into false positions because political men and the corps editorial mislead them. Instead of honestly cautioning them against Federal ideas, made for the time acceptable in consequence of local interests or opinions, it has seemed to me that very frequently political men and editors go out of their way to bridle and saddle some miserable hobby, and mount and ride it with extraordinary evidences of exhilaration. This want of political candor and courage is the remote cause of disunion to which I have alluded. God make the politicians honest. The people are so.

I have said that Democracy is progressive. Federalism has wagged her head, and in reproach and derision called us "the progressive Democracy," and we have not taken the saying as a reproach, but as praise. Monarchy has progressed from that which was despotic to that which is limited. Kings "progress" as the people demand of them, or, in default, have "progressed" into exile, leav-

ing the place where a throne was, to be occupied by the tribune. Literature, science, philosophy, the arts, and belles-lettres "progress," and their adaptation to use "progresses." Moral and physical man "progresses." Animals, by culture and the crossing of breeds, "progress" in beauty and useful qualities. The moral world and the physical terra firma keep moving; the planets roll on in their courses; systems career through immense space; nature, and art, and mind, are in progress. Even religious creeds—not religious truths—undergo modification, and, for good, "progress." Federalism alone is stationary. She changes her name, and may blink her favorite ideas for a time, till an election can be carried upon an "availability;" but in creed, opinion, principle, wish, and instinct, she changes not. Unchanged, except in mere externals, since 1787, she stands in her ancient and murky temple, and grows dizzy as she looks out, in amazement, upon the whirl of all things as they fly past her in their PROGRESS. Aware that her principles are, generally, unacceptable, the late Federal—I beg pardon, Whig I believe is the word now—convention adjourned without the formal or informal declaration of any creed or platform. Resolutions having a squinting that way were declared to be out of order by the presiding officer. A novel but prudent decision, without precedent or reason, was this. The emergency called for it. Like the bird of the wilderness, our friends of the Whig party hid their head in the bush, and fancied the world would fail to see their tail. The precaution was vain. The absurd alliance between the political party which pronounced the late war unnecessary and unjust, and the general who led one wing of our conquering army, has excited a burst of ridicule and disgust from one end of my district to the other. It will, if I mistake not, give occasion for loud guffaws of derision from Maine to Texas, from Oregon to California, and the quidnuncs and wits of Europe will join in the cachinnatory chorus. Even if the great Federal, National Republican, Whig party had not estopped itself from a resort to the supposed availability of military reputation, the Democratic party, always ready to honor Democratic heroes, has blundered upon a couple of availabilities in that line which cannot be defeated. The day is not now when radical Democracy, represented in the persons of two "volunteers" of 1812, will be even endangered. The people will remember Jackson's Secretary of War* and Jackson's aid-de-camp,† and will endorse the preferences of "the Man of the Age."

* Cass.

† Butler.